

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESale PRICE  
LITIGATION

)  
) MDL NO. 1456  
) Civil Action No. 01-12257-PBS  
) Subcategory No. 07-12141

THIS DOCUMENT RELATES TO:

*State of Iowa*

v.

*Abbott Laboratories Inc., et al.*

)  
) Judge Patti B. Saris  
)  
)  
)  
)

**MAY 2010 STATUS REPORT FOR THE STATE OF IOWA**

The undersigned counsel for the State of Iowa (hereinafter referred to as “plaintiff”) hereby submits the attached Status Report for June 2010, in accordance with the Court’s June 17, 2004 Procedural Order.

Dated: June 2, 2010

Respectfully submitted,

**KIRBY McINERNEY, LLP**  
825 Third Avenue  
New York, New York 10022  
(212) 371-6600

By: /s/ Joanne M. Cicala

Joanne M. Cicala  
Kathryn B. Allen

*Counsel for the State of Iowa*

**June 2010 Status Report for the State of Iowa**

**Discovery**

**1. Schering's Motion for a Protective Order**

On March 5, 2010, defendant Schering filed a motion for protective order and to quash a notice of deposition served by plaintiff on March 1, 2010. *See* Docket No. 6964, Sub-docket 70; Docket No. 6965, Sub-docket 71.

On March 26, 2010, plaintiff filed its opposition to defendant Schering's motion for protective order. *See* Docket No. 7009, Sub-docket No. 73. This motion remains *sub-judice*.

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that on the 2nd day of June, 2010, she caused a true and correct copy of the above June 2010 Status Report for the State of Iowa to be delivered to counsel of record for defendants by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL No. 1456.

Dated: June 2, 2010

/s/ Kathryn B. Allen  
Kathryn B. Allen  
Kirby McInerney LLP  
825 Third Avenue  
New York, NY 10022  
(212) 371-6600